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THE BOND STREET TRACEDY.

INVESTIGATION OF THE MURDER OF DR. BURDELL.

TENTH DAY OF THE INQUEST.

PULL REPORT OF THE PROCEEDINGS.

Eckel and Mrs. Cunningham Again On the Witness Stand.

They Decline to Testify, and are Again Imprisoned.

MR. SNODGRASS AGAIN EXAMINED.

HIGHLY INTERESTING TESTIMONY,

clock yesterday morning, at 81 Sond street, the late resi a barricade or not work of ropes, which closed up the he back parior being occupied almost exclusively by the

nade out an order to the keeper of the Tombs requiring

and the matter being left to the Coroner and Judge ald that he thought citizens had a right to come in and it der it necessary to close up the doors, and he

has bave been put before. I did not examine you, here are a few things that I went to draw out from There are some that have been drawn out partially

just paid him some hower,
paid him six dollars.

Q. Where did he come from when he entered your
laboratory there—did he come from down town? A. I

Q. Where did he come from when he entered your laboratory there—did he come from down town? A. I presume he came from up stars.

Q. Had he a hat on? A. No, sir, he had no hat on.
Q. Do you know where he went after he left? A. I do not know, str.
Q. Did he at that time say anything about his calculations for the remainder of the day? A. I didn't eee him after that time.
Q. How long have you occupied that laboratory? A. Of and on, str, since October.
Q. Can't you say what time in Outober? A. About the sin of October; but I have occupied it off and on before that from July, I suppose, or from the time he went Sarklegs.
Q. Well, when did he go to Saratoga? A. He went to there in August.

Saratoga.

Q. Weil, when did he go to Saratoga? A. He went to there in August.

Q. Then you had occupied the laboratory at intervals from August down to that time? A. Weil, sir, I occupied it very little till October, I o scupied it more, then, sir.

Q. Did you frequently see the Doctor? A. Yes, sir.

Q. Did he call on you, or you on him? A. No, sir; I very seldom called on him; he was up stairs in his office the last engagement I had with him.

Q. Bane October? A. Since October; I was seldom in this office unless? A. Mo, sir, not often; I don't recollect of being in his office more than three times b-si ween October and the time of his death; that is between the 8th of October.

Q. But you saw him at other places? A. No, sir; I have seen him more there than at any other places.

Q. Did he call often upon you? A. Weil, he stepped in every day, probably, when I was in there.

Q. Now, was he communicative with you in reference to his private affairs? A. No, sir.

Q. By was not? A. He was not.

D. Did he at any time communicate to you any of his difficulties with the members of his family—of Mrs. Cunningham's family? A. He has mentioned something about a difficulty I know of.

Q. What was that? A. Concerning those papers.

Q. Oncerning the lost papers? A. Yes, sir; that is the only difficulty I know of.

Q. Whas did he complain of that? A. It was since September sometime; I cant may exactly, but it was since September.

Q. Was it before the time that you had the most of the same and the since of the same of

tember sometime; I can't say exactly, but it was since the time that you had the most of your intercourse with him—since October? A. I had the most of my intercourse with him in October.

Q. Can't you say whether it was after October or not?

A. Yee, sir; it was after October.

Q. How long ago, now, do you think it was? A. I can't say, but it was sometime after I saw the police officers etanding in the hall.

Q. Can you now form any circumstances, or from the flere of your memory give something near what you believe to be the time when he made that communication to you? We all have an opinion about such things—what is the impression now upon your mind in regard to that yound it.

that?
Q. Yes, sir. A. I never knew any difficulty till the officers were in there.
Q. When was that? A. I don't knew when that was; I think it was sometime in September, and the Doctor said semesthing about it after that time.
Q. What was the nature of that communication? A. He told me that Mrs. Cunningham had stolen a key from him.

Q. Well, what more? A. And that he had lost some

Q. Well, what more? A. And that he had loss some papers.

Oorgoer.—This, now, you remember was after October A. This, str. was after I saw the police officers in the hall Q. And that you say was in September? A. Yes, air. Judge Capron.—That was quite an indefinite answer for any purpose. A. It might have been the next day after the officers were here: I can't say it was on the day the officers were in the hall; it might have been the next day effect the officers were here.

Q. That is what you are trying to get at? A. I am merely trying to get at the time that communication was made; it was within a day or two after the efficers were here; commwhere after the first of October, after I saw he efficer;

Q. Ton used the expression "violating his bed."
Q. That is what I want to know. Well, will you not give us, if you can, the circumstance to which he referred that made him make this remark to you? A. I will tell you; I came to look after Dr. Burdell's business when he want to Saratoga, and whom he wan away, and after returned those charges were made against me.
Q. Well, were they in reference to kirs. Cunningham?
A. No, sit.
Q. Well, that is what I don't understand. You know the made with the what I don't understand. You know the maderated that when a porton charges agother with

before.

Geroner—What do you think be mean?

Judge Capron—We will put it in this shape. Q. Did he mean that you brought a woman into his bed from the street or any other house and used his bed for purposes of your own, with some strange woman? A. No, sir, I think he meant that probably something of the kind.

Q. Well, explain to us? A. I knew's gentleman by that name, and I do not know say more.

Q. Well, what circumstance did you refer to in re'eresse to that gentlemas? A. I do not know.

Q. Did you not take an idea at the time? A. I did not.
Q. Did you subsequently have a conversation with her in reference to these charges? A. No.
Q. Nover, at any time? A. No.
Q. Did she ever make any communication to you in reference to the Boctor? A. No.
Q. Of no sort? A. No.
Q. Of either of her daughters? A. No, ut.
Q. Nother of them? A. No.
Q. She never then, as I understand you, had any communication with you in reference to the Doctor while you were at work in your labors-ory and she was in her room? these windows being open you would convers t spether as well as if you were both in one room? A. None, whatever.
Q. That is fixal, then, upon that point. Did she never any anything to you a sout her difficulties with the Doctor?
A. No, str.
Q. Or misunderstarding? A. No. str.

night key could not get in? A. Yes, sir.

Q. Who generally fastered that door at night en the inside to prevent any more entrance. A. I don't know.

Q. Do you know whether it was usually fastened on the inside? A. I do not, sir.

Q. Did you lo ige in the house? A. No, sir.

Q. What time did you leave the house that day—the day of the death I mean? A. I left at 4 o'clock.

Q. At four o'clock in the afternoon? A. Yes.

Q. Did you return again that day? A. No.

Q. Not until eight the next norning? A. Not until I was sent for next morning

Q. I see in your former examination you stated about eight o'clock? A. I don't know exactly what time it was; it was in the morning.

Q. At that time, when you had the money, did the Doctor say anything to you about his affairs with Mrs. Cunningham? A. He did not, sir.

Q. Had Mrs. Cunningham, at any time since the 25th of October last, said saything to you in reference to the terms on which she occupied the house, whether she was living here as proprietor or as tenant—anything of the kind? A. No, sir.

Q. Has she spoken to you about the rent of the premiese or about her calculations to leave them or continue in them? A. Nover said anything about it.

Q. Did you rent from the Doctor or her? A. I did not rent at all.

Q. Oh! You was engaged with the Doctor? A. Yes.

cont at all.

Q. Oh! You was engaged with the Doctor? A. Yes.

Q. Have you heard her say anything about her calculations with the Doctor since October, for the future? A.

notified of the fact of the murder? A. No, str, I was notified.

Q. And came here? A. Yes.

Q. When you came here who did you first see? A. I
think the first I saw was Mr. Parmice coming up stairs.

Q. Were there many here when you first came? A. No,
Q. How soon after coming here before you saw any of
the family, I mean the mother and daughters? A. I did
not see the family, with the exception of Mr. Snodgrass,
that is the only can I saw of the family.

Q. During the day? A. No, str.

Q. Did you see Mrs. Cunningham during the day? A. I
did not.

Q. Either of the elder daughters during the day? A.
No, sir.

Q. Did you see Mr. Eckel? A. I saw him up in the
room.

room.
Q About what time? A, Well, I don't know what time it was; sometime after the Coroner had arrived.
Q Hew long did you stay here, was % all day? A. I don't know.
Q. Was it dark, was the gas lighted? A. It was about four o'clock. Q. Did you have any conversation with Mr. Eckel ? A.

No.
Q. Did you hear Mr. Eckel make any remark? A. No,
I did not
Q. What was he employed about, what did he do? A.
When? When?

Q. During that day or any time of the day that you saw him while you were here? A. I saw him come into the room; I heard that he had been stopped, and I wanted to go out; it was told the Coroner that a man wanted to go out and his name was mentioned, and I felt a little anxious to see him.

Q. You had not known him before? A. No, sir.

Q. He was then under arrest? A. Yes, sir.

Q. What time did you usually get here in the morning?

A. I had no particular time of getting here—nine, ten, or any time.

Q. He was then under arrest. A. Yes, sir.
Q. What time did you usually get here in the morning?
A. I had no particular time of getting here—nine, ten, or any time.
Q. Had you never seen Mr. Eckel before? A. I had never seen him before until that morning; there was a man standing here, sir. (pointing to a listle distance off.) attending to some canary birds in the morning, and i heard that that was the man who had the birds, and I judged by that that that was the anne man as was attending to the birds.
Q. And you have seen him, but had no acquaintance with him? A. No, sir.
Q. The jury wish to know how long you had been acquainted with Dr. Burdell? A. About four years.
Q. What was the Doctor as a man of strength and physical power? A. A pretty strong man.
Q. What de you know of his courage? A. Well, I don't know any thing about that.
Q. Who salled you in the morning? A. Dr. Burdell's boy.
Q. Then you know nothing of the Doctor's courage?
A. I do not.
Q. Did you associate with him much out in the streets, about the city? A. No, sir.—I only judge from the man's size.
Q. Who were the Doctor's associates who used to come frequently to see him, more than any others? A. Well, I don't know any particular ones.
Q. Had he no confidential friends—no associates, who were always with him? A. I don't know.
Q. You being here and boing employed with him would know that fact? A. I knew very little of Dr. Burdell, sir, outside of the profession would you not naturally associate with him host in the employ ment considerably?
A. Only about his business.
Q. But aman's business connected with another naturally lead faim into considerable intercourse? A. You might approve to, but it was got 40.

Q. Then you cannot telf us who his associates were; who used to call upon him in the obsracter of friends and acquaintances—saide from business, I speak of? A. Weil, I cannot say that I neticed any one in particular; I have seen Mr. France call here at different times to see him. Q I have a question to sake you're there you knew of a tall gentleman— Dr. Biaisdeiff Q. You knew him? A. Yos. Q. Then he is one? A. Yos, he Q. Can you name another?

A Juror—I believe the witness is going to say something about it.

that there is no power in law than can oblige him to act otherwise.

Judge Capron—Doctor, I will go on now and finish my statement with you...Do you know of any person who knows probably the individual who called for this powder? A. Yes, str.

Q Who is it? A. Dr. Blaisdell.

Q Do you know if he knows the day that he called?

A. I think he does.

Q. Doctor, as to this 25th, do you mean to be understood that you think Dr. Blaisdell went to Saratogs on that day, or before that day?

A. He might have gone before that day?

Q What is your judgment about that—that he went on that day or before?

A. I do not know whether he went on or before.

ses a person called for a box of tooth powder somewhere bout that time.

Q. Well, I inferred that you went upon the 28th? A. (c. I went within a day or so.

Q Of the 28th? A. Yes, I could not my exactly.

Goroner—I have it here upon the 28th of October, or bout that time? A. Yes, sir.

Judge Capron—That is when the Doctor was away? A. (es, sir.

that he regarded as enemies? A. No, sir.

A Juror—Did you regard Mrs. Ounningham as a friend?

A. No, sir.

A Juror—Did you regard her then as the reverse? A. Yes, sir: I should think so

Mr. Capron—Do you know whether he was or was not anxious to get her out of this house, about that time? A. Yes, sir.

The Coroner—Dr. Burdell regarded Mrs. Cunningham as an enemy?

Judge Capron—Did you hear him say anything in reference to getting her out of the house, or of his unwillingness to her remaining here? A. I heard him say that she was going to leave on the first of May.

Q. And how long before his death was that? A. That was the Iuceday or Wednesday prior to his death.

Q. What circumstance led him to make that remark?

A. In calling me up, sir, to see those papers.

Q. In calling you up to see what papers? A. The release, sir.

Q. When he showed you those papers? A. Yes.
Q. For what purpose? A. I don't know: he asked me
to come up; he said he had something he wanted me to
see.
Q. That was the Wednesday; I could not say which.
Q. Weil, what did he ray upon the subject on showing
you these papers? A. He drew my attention to the signatures of the papers, and asked me if I thought they
could be counterfeited; he showed me one paper in particular, and asked me if I thought that was a counterfeit.
Q. Ah's a compared with the other? A. Yes.
Q. Weil, what did he remark on saying it; how came
he to want to know that fact; what explanation did he
make of his object in asking the question? A. He said,
"I intend to get her out of the house the let of May."
Q. Did he speak of anything as having happened just
then between him and her that made him more anxious?
A. No, sir, it was this paper that he aliteded to. [The release was here handed to the witness.]
Q. That is the paper which speaks of her leaving on
the first of May. [Another document was then handed.]
Q. That is the assumment of the judgment, was it a
noie, sir, that he alluded to? [handing a note to the witness]. A. There is another paper.
Q. We have not got it there? A. There was another
that was compared with it.
Q. What was the purport of the other paper? A. I
only know what one of the papers were.
Q. Was the other a written or printed paper, or both?
A. Something like that, sir; there was another paper,
sir; I did not see it opened by her, and with the same
name as that, and he compared this signature with the
other paper, which is something like that, and then
he drew my sitention to that note also.
Q. I not that hor signature, there—is her signature
gone—we have not had but those two papers here? A.
Well, was it not in that shape—don't you think this
might be the one, the assignment of the judgment in favor
of his brother against the Doctor. The judgment is
against the Boctor, "A judgment in favor of the said
A. I don't think that is the paper almede to.
A. Juror—As the exec

and is in Mes. Countinglam's handwriting.

Dean Browner.—By request of Mrs. Simouson, I write to inform you that George died yesterday, and is to be buried to morrow morning at 20'clock, and they would like you to attent the functal if convenient. My love to the children, and believe me your friend.

Saturday, 33.

Backed with "No. 3.—G. W. B.—J. C."

In consideration of settling the two suits now pending between Mrs. E. A. Channingham I sgree as follows:—

1st. I agree to extend to area E. A. Conningham and family my friendship through life

2d. I sgree never to do or act in any manner to the disadvantage of Mrs. E. A. Chunningham.

3d. In one I remain and occupy the hours 31 Bond street as these words are crossed out! I now do I will rent to Mrs. Cunningham the suits or rooms also now occupies—third floor, atticular backets and these words are crossed out! I now do I will rent to Mrs. Cunningham the suits or rooms also now occupies—third floor, atticular backets of the set of \$400 a year.

This is marked No II.—G. W. D.—J. C.

City and County of New Fork, as —Harvey Burdell, of said city, peling duly sworn deposes and says, that a note drawn by Strs. E. A. Cunningham, dated on a shout the 12th day of the deposent and term to the said and twelve dollars and 30 100 to deposent and term, is not now in deposent possession.

That said note a sider hat of has been relean, or in some other manner has passed from the possession or knowledge of deposent and note with the total signed or endorsed by doponent, or passed by him to any other person.

I sworn to before me his — day of November, 1856.

This saper is marked at back "No. 1—4. W. D.—J. C."

This spreement, made the 19th day of March, in the year one thousand eight hundred and fifty six, between Harvey livinglic the drist part, and k. a. Cunningham of the econd part witnesset that the said party of the lire apart has agreed to take, and hereby does take a part (here four or rel lines are erased for the term of one year, to cam increase and condition as reasons

and bree made as determined in the morning.

3. The Croice water tax to be paid by party of the first, and the bill for the gas used to be paid for by party of the second part. Croice water fixtures to be kept in repair by party of the first part.

HARYYT BURDELL SEAL.

HARYYT BURDELL SEAL.

tions and by his acter, that name now stands in the register under date of Certoler that name now stands in the register under date of Certoler that you have an House till Mount in Mount you did the sist.

Subscribed and sworn the 6th day of Pebruary, 1867, before me, Jones B Firsten, Jones of the Peace.

This indenture, made the 12th day of December, 1855, between Edwards Piercepolit, of the State of New York, party of the season party of the state of New York, party of the season party thereas, the said party of the second part, thereas, the said party of the second part, thereas, the said party of judgment in the Supreme Court of the Peace of New York, on proceedings commenced by attachmen again a resident of the passed fine of the same of \$1,757 st. which \$1,500 \$t has been satisfied of a judgment in two or William Sturfell against the said Mewards Fierrepoint the sum of \$612.50, to him duly paid, has sold, and by these presents do saids, the said judgment in the said party of the said of the said party of the second part, to the said party of the second part, said her said party of the second part, and her said party of the second part, and her said party of the second part, to said register the said control said said of the said party of the second part, to said said to the said party of the second part, to said said to the said party of the second part, and he said party of the second part, to said said to the said party of the second part, to said said to the said party of the second part, and he said party of the second part, to said said to the said party of t

Appearance.

Q. Did her appearance indicate that? A. It did if I may judge from physiognomy. F.

Q. I guera you are? A. I am satisfied she heard the conversation, and she leoxed pretty much as I should look under those circumstances.

Q. What was that conversation? A. A. The conversation was about his being afraid of his life, and wishing me to come and remain with him as a friend, and room with him.

Q. And Wrs. Cunningham heard that? A. I should think she did; the foctor heard it, and she must have.

The Corener—All that is already in evidence.

Judge Capron—How long was this prior to the Doctor's death? A. That was on the same day—on the day of his death; he was in my store.

A Juror—You stated shout a man being nere who was out of the city's (Syano.) A. I do not know how he could get out of the State prison.

Judge Capron—His term of sentence has not, then, expired?

A. My impression is that he went into the htate prison in Virginia for grand arceny, and I think his sentence, was for ten years.

A Juror—How often have you been in this house previous

to the Friday of the murder: A. I have been here very frequently.

(b. How often in the course of that morth? A. I was only there in the month of January three times.

(c) About what time previous to the Friday of the murder? A. Some two or three weeks before.

(c) Bow eams: it has when on Friday night you had an important meeting with him that you did not come to him on paturday; A. I did not come on Saturday; it was a very rainy and had day, and I had business down town, and remained there all the time.

(c) You did not intend to come and sleep with him all night?

(d) I hid he sak you to spend the night? A. Yes

(e) Look at all the signatures to these capters (handing them to witness) and tell us whether you think they were written by Tr. Burded. The papers alluded to were the following:

(a) A docteration that up to the 18th October, 1856, he had

"A note for 586.

A declaration that up to the 18th October, 1856, he had made no will.

"The agreement to extend his friendship, Ac. to Mrs. Cunningham and her family in consideration of the estilement of the two suits pending against him.

"A fluid of Dr. Hurdell promouncing a note lost by him for six hundred and odd dollars, null and void as against Mrs. Cunninghom.

Eworn and examined by Judge Capron.—Q. Where do you live! A. 573 Broadway.
Q. What is your age. A. Righteen years next March. Q. Do you know Mrs. Emma A. Comningham? A. Yes.

Q. What is your business—what do you trade for A. I have

ot a business... I reside with my mother.
Q. What is her business: A. Corsemaker.

not a business—I reside with my mother.

Q. What is her business: A. Corseinsher.
Q. Do you remember Mrs. Cunningham having been to your place within a short time: A. I know that she came last October to our bouse with her dieds daughter, it was towards in evening, and she said she wished to wait for a gentleman to evening, and she said she wished to wait for a gentleman to evening, and she said she wished to wait for a gentleman to evening, and she said she wished to wait for a gentleman to get the deer, and the gentleman came, and she took some towards and showed them to him: I do not know what they seem, they were saying.
Q. What time was this in Octobert. A. The last days of October, for I remember that we had to light the gas as soon as she came in.
Q. She came there and waited for a gentleman at your little. A. I ex sit.
Q. You did not hear her conversation? A. Wo, sir. I could not, I call pheard her say after she was preparing to leave, "All things are right now." that is all I remember.
Q. Anout what time did she come? A. Between 6 and 7 o'clock in the evening.
Q. Shout what time did she come? A. Between 6 and 7 o'clock in the evening.
Q. Inow long did they remain? A. About half an hour.
Q. And he came in in the meantime? A. Yos.
Q. How many papers did he cathbil? A. I cannot say; I think two.
Q. Were they half shouts of paper or smaller than half sheets? A. I think they were considerably larger.
Q. Were they contained in an envelope, or had she them in her hander. A. I think she had them rolled up and put somewhere in the pocket, there was not an envelope on them.
Q. Should you know the papers if you were to see them.
A. I should.
Q. How many papers were there? A. Two or three, I think; I cannot rancity tell.
Q. New, if you please, give to the jury, as near as you can, a description of this man. A. The only particular notice I took of him was something about his beard and his eyes.
Q. Ho you think, if you were to see the danguereotype of them has been that the yound the papers.
Q. What color were he ey

Other saying, 100 to the control of the control of

black.
Q. Did he have a shaw!? A. No, sir, he had no shawt. C. was not cold enough for a shaw!.
Q. Can you say now from your recollection of that circumstance whether he was dreased particularly nest at that time or neglig nily? A. I think he was dressed like a regular gentleman.
Q. Dressed up neatly? A. Yes, sir.

door antiquely expecting his appearance. Some mi elapsed when he entered the room accompanies Captain Diks and other officers, and teck his see the dental schair which had been appropriated to the wiyou, sir, that the law gives you the option—the power to rect to the questions of the judge, or that anybody else puts to rec.

Judge Capron—According to my view of the law, whether he is to be protected from answering or not depends upon the relationshe holds to these proceedings. If he be here as a suspected party, of course he will have the right of an accused; but if he is brought before this jury as a witness, then he only has the rights to which a witness is entitled, which are different from those to which a necessed is entitled. A party is not bound to answer any question whatever, whether it will or will not affect him. He has a right to stand mute. But this is not so with a witness. Whether he may refuse to answer questions without incurring punishment for contempt of court, and thus subject himself to imprisonment for such contempt, depends upon snother question, which is—can be answer without impeaching himself: If he cannot answer a question put witha witness. The return says, as I understand it, that you call

Coroner—I call him here as a witness.

Mr. Clinton—That part of the return was regarded as sur Judge Capron-No matter. I know nothing personally of what has taken place only from what I have read in the news-papers. I presume the Judge was right, and we are bound to regard it in that light no far as he can bind us here. But he cannot control the Coroner in any respect in the discharge of his duties, in any place or under any circumstances. A Judge on a habeas corpus can either remand or discharge a prisoner, and he (the Judge) has a right in his order to prisoner, and he (the Judge) has a right in his order to state the ground upon which he believes he acts, but having done that he has exhausted his powers. When that party comes back again before the Coroner, he does so as though he had never been brought before the Judge to be examined, if as a witness, or he may stand mute, if he chooses no do so, if he be a party accused or suspected. The only difference be-tween the two relations is that if the party stands before this tribunal as an accused, he has a right to refuse to say any-thing, whether it will impeach him or not, and stand mate, and call upon the records to make out as good a case argains. ness. I will, if the Court so direct, examine him; and it is for

Mr. Clinton—I would suggest, as there is nothing before the court, that I do not appear here in a professional character. Judge Capron—There is something before the court, and

would suggest the propriety of going on with the business. It

Mr. Clinton—You, as being Judge, will judge of that.

Judge Capron—I would make these remarks as advisatory to the Coroner. We have called this man here for the purpose of examining him, and I feel that I am africtly correct in my position. Of course it may turn out that he is guilty or not

The Coroner—Gentlemen of the Jury—I need not say any-thing further on the subject than that I stated my impressions to the court, and they remanded Mr. Rokel as an important witness, and as being connected with this crime. I then say now that I order him to dil the one capacity, that as a witness,

now that I order him to fill the one expensy, that as a witness, and if he wishes to answer there is nothing further.

Judge Capron (to the witness)—I will ask you a few questions, in relation to this matter. (Mr. Eckel, whose eyes had been steadily directed to the fur cap on his knees, raised them to the Judge and appeared greatly agitated.)

Q. I would ask you, Mr. Eckel, when you last saw Dr. Burdell, on the day preceding his death. Eckel parily cosn from his thair and sulvering perceptibly, handed to the officer near bim the paper before alfuded to, which the official placed in the presence of the learned ex-Judge, exclaming to a tree close and scarcely audible voice, "that is all I have to say,"

Mr. Custon-Read that paper.

Continued on Afth page.